Government of Kerala
1985

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

Vol. XXX] Trivandrum, Friday, 12th April 1985 / 22nd Chaithra 1907 [No. 306

GOVERNMENT OF KERALA

Transport (C) Department

NOTIFICATION

G. O. (P) No. 14/85/Tr. D. *Dated, Trivandrum, 8th April, 1985.*

S. R. O. No. 495/85.—In exercise of the powers conferred by sub-section (1) of Section 2 of the Kerala Public Services Act, 1968 (19 of 1968) the Government of Kerala hereby make the following rules to amend the Special Rules for the Transport Services, 1981 issued in G. O. (P) No. 91/81/TF &P dated 5th October, 1981 and published as S. R. O. 1164/81 in the Kerala Gazette Extraordinary No. 792 dated the 14th October, 1981, namely:—

RULES

1. *Short title and commencement.*—(1) These Rules may be called the Special Rules for the Kerala Transport Service (Amendment) Rules, 1985.

(2) They shall be deemed to have come into force with effect from the 1st day of October, 1975.

33/1509/MC

2. *Amendment of the Rules.*—In the Special Rules for the Kerala Transport Service, 1981—

(1) in rule 3—

(a) in sub-rule (a) item 2 and the entries against it and the Note thereunder, under the heading "method of appointment" in Column (2) against category "3. Assistant Transport Commissioner/Regional Transport Officer", in column (1) shall be omitted;

(b) in sub-rule (b), in the first sentence, for the words, figures and marks, "Appointment by promotion to Categories 1 and 2, appointment by promotion/transfer to Categories 3 and 4", the following words, figures and marks, shall be substituted, namely:—

"Appointment by promotion to Categories 1, 2 and 3, appointment by promotion/transfer to Category 4".

(2) in rule 6, in the proviso, the words and Senior Accounts Officers on appointment by transfer to Category 3, shall be omitted.

By order of the Governor,

M. C. Choudhury,

Secretary, Transport Department.

Explanatory Note

(This note does not form part of the Notification but is intended to indicate its general purport).

In the revised Special Rules for the Kerala Transport Services issued in G.O. (P) 91/81/TF&P dated, 5-10-1981 the post of SAO has been included in the feeder category for promotion to the post of RTO/ATC. A Senior Accounts Officer is a Senior Superintendent of the Ministerial Wing on OD (by promotion) Senior Superintendents is eligible to be appointed as Jt. R. T. O. and then to be promoted as R.T.O. Government have now found that the provision to promote a Senior Accounts Officer directly as R.T.O, has resulted in an anomaly of a junior person (Senior Superintendent) in the Ministerial Wing getting promoted to the post of R.T.O. over another Senior Supdt. who is senior in the same wing. When two categories of posts on Rs. 650–1150 viz., Senior Superintendents and MVIs are brought into a common cadre of Jt. R.T.Os. by promotion and are eligible thereafter to be ptomoted as R.T.Os. according to seniority in the common cadre, permitting

only one out of the two constituents of the common cadre to reach the position of R.T.O. in a circumventing method, give that category an undue advantage over the other constituent category. Government with a view to remove the above anomaly and to mete out equal treatment to the two constituents of a common category propose to amend the special rules retrospectively with effect from the date when the amomalous position occurred. So they have decided to exclude the post of S.A.O. from the feeder category for R.T.Os. This notification is intended to achieve the above object.

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EXTRAORDINARY

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Vol. XXX] Trivandrum, Friday, 12th April 1985 / 22nd Chaithra 1907 [No. 308

GOVERNMENT OF KERALA

Transport (B) Department

NOTIFICATION

G. O. (P) No. 17/85/Tr. D. *Dated, Trivandrum, 12th April,* 1985.

S. R. O. No. 496/85.—Whereas the Government of Kerala by Notification G. O. (P) No. 71/84/Tr. D dated the 31st December, 1984, published as S.R.O. No. 1602/84 in the Kerala Gazette Extraordinary No. 1128 dated the 31st December, 1984 issued directions to the State Transport Authority for revising the fares of Stage Carriages plying in the State;

And whereas Government received several representations from the public regarding the fares fixed for the Stage Carriages;

And whereas Government appointed a committee to examine the matter further and to submit a report on the anomalies, if any, on the fares fixed, and directed the State Transport Authority to keep in abeyance the rates of fares of Stage Carriages fixed by it in pursuance of the directions in the Government Notification aforementioned;

And whereas the recommendations made by the committee in its report have been accepted by the Government;

Now, therefore in exercise of the powers conferred by clause (i) of sub-section (1) of section 43 of the Motor Vehicles Act, 1939 (Central Act 4 of 1939), and in supersession of the Notification G. O. (P) No. 71/84/Tr. D dated

the 31st December, 1984, published as S.R.O. No. 1602/84 in the Kerala Gazette Extraordinary No. 1128 dated the 31st December, 1984 and Notification G.O. (P) No. 1/85/Tr. D dated the 9th January, 1985, published as S.R.O. No. 65/85 in the Kerala Gazette Extraordinary No. 25 dated the 9th January, 1985, the Government of Kerala hereby issue the following directions to the State Transport Authority, namely:—

DIRECTIONS

The State Transport Authority shall fix the rates of fares of the stage carriages in the State as follows:—

A. *Rates of fares for the roads in the plains*

The rates of fares for various classes of Stage Carriage Services per head per kilometre shall be as shown below, subject to clause (D) hereunder.

(i)	Ordinary/Mofussil Services including City and Town Services	9 paise
(ii)	Fast Passenger Services	11 paise
(iii)	Express Services	12 paise
(iv)	Superior or Special Class of Services	1½ times the rates of fares fixed for Express Services.

B. *Rates of fares for ghat roads*

The rates of fares for various classes of services payable for ghat roads shall be enhanced by 25% of the rates payable for the respective classes of services on roads in the plains specified in Clause A.

C. *Minimum fares*

The minimum fare for which a ticket can be issued to various classes of services shall be as follows:—

(i)	City/Town Services	40 paise
(ii)	Ordinary/Mofussil Services	50 paise
(iii)	Fast Passenger Services	Re. 1
(iv)	Express Services	Rs. 3
(v)	Superior or Special Class of Services	Rs. 4.50

D. *Fixation of fares*

In respect of routes where fare stages have already been fixed such fare stages shall be retained without changes and on such routes fares shall be fixed in such a way that fare shall be increased atleast by a minimum of 10 paise after

the first stage in ordinary services and after second stage in the case of City/ Town Services.

In respect of other routes fares shall be fixed at the rates mentioned in clause A or B as the case may be.

The distance between two stages will be taken as 2.5 kms. irrespective of the fact whether such distance actually exists on ground or not.

E. *Calculation of Fares*

(i) The fare for services other than those falling under items (ii) and (iii) below, shall be calculated in multiples of 10 paise. If the fare calculated is not an exact multiple of 10 paise; the same shall be rounded off to the nearest multiple of 10 paise; any amount of 5 paise and more being rounded off to 10 paise and any amount less than 5 paise being ignored provided that the increase in fare shall not in no case exceed the fare in force as on the day, immediately prior to the date from which the revised fare shall come into force, by more than fifty per cent.

(ii) The fare for Fast Passenger Services shall be calculated in multiples of 50 paise. If the fare calculated is not the exact multiple of 50 paise it shall be rounded off to the nearest multiple of 50 paise ie; 25 paise and more being rounded off to 50 paise and less than 25 paise being ignored.

(iii) The fare for Express Services shall be calculated in multiple of 50 paise. If the fare calculated is not the exact multiple of 50 paise, it shall be rounded off to the next multiple of 50 paise.

F. In respect of services operated during "Approved Festive Occasions", the rates of fares for such services shall not exceed one and one-fourth times the rates of fares fixed for the respective class of service.

G. *Students Concession*

(i) Full time students not engaged in any other calling or profession studying in any recognised educational institution travelling in stage carriages for a distance not exceeding 40 kilometres for a single journey for the purpose of attending classes shall be eligible for concessional travel in City, Town and Ordinary/Mofussil services at the rate calculated at 19.44% of the rates fixed under these directions subject to the condition that there shall be no increase in the rates of fare now charged for students:

Provided that the minimum fare for a concession ticket for a single journey shall be 10 paise:

Provided further that the students shall produce identity cards for claiming the concession.

(ii) Full time student not engaged in any other calling or profession, studying privately in any institution and who has registered his/her name in any of the Universities in Kerala as a student for a particular course of private study admitted by the University, travelling in stage carriages for a distance not exceeding 40 kilometres for a single journey for the purpose of attending classes shall be eligible for concessional travel in City, Town and Ordinary Services at the rate of 50% of the rates of fares fixed for the respective class of service under these directions:

Provided that the minimum fare for a concession ticket in City/Town and Ordinary services shall be, 20 and 25 paise, respectively:

Provided further that such private students shall produce an Identity Card in the form prescribed by the Government.

Explanations:

(1) "City Services" or "Town Services" are services declared as such by the Transport Authority granting the permit.

(2) "Fast Passenger Services" means services which are allowed to be operated by fleet owners to run at an average speed of 32 kilometres or more per hour, with limited stops, in which seats can be reserved in advance and preference may be given to through passengers and which for these reasons are declared as "Fast Passenger Services", by the Transport Authority granting the permit.

(3) "Express Services" means services which are allowed to be operated by fleet owners on long routes at an average speed of 40 kilometres or more per hour, with limited stops, providing higher standards of comfort in seating, in which seats can be reserved in advance and preference may be given to through passengers and which for these reasons are declared as "Express Services" by the Transport Authority granting the permit.

(4) "Superior or Special Class of Services" means services operated by fleet owners providing superior or special amenities to the passengers which are declared as "Superior or Special Class of Services' by the Transport Authority granting the permit.

(5) "Approved Festive Occasions" for the purpose mentioned in Clause 'F' above, means the festive occasions (months and days) as shown in the Schedule hereunder.

(6) "Ghat Roads" means roads which are declared as such by the Government.

(7) "Fleet Owner" means a person or institution or the Government who or which is the registered owner of more than one hundred and fifty stage carriages.

(8) "Long Routes" means routes which have been classified as long routes under rule 177A of the Kerala Motor Vehicles Rules, 1961.

(9) "Recognised Educational Institutions" means:—

(i) Industrial Training Centres in the public and private sector affiliated to the National Council for Training in Vocational Trades;

(ii) High Schools, Primary Schools and Special Schools and Training Schools and other recognised Educational Institution under the control of the Department of Education;

(iii) Colleges affiliated to the Universities;

(iv) Technical Institutions recognised by the Director of Technical Education;

(v) Educational Institutions recognised by the Government of India; and

(vi) Institutions directly run by the Government of Kerala or the Government of India.

SCHEDULE

Sl. No.	*Name of Festival*	*Period/Month*	*No. of days*
(1)	(2)	(3)	(4)
1	Ambalapuzha Temple Festival (R)	March/April	3
2	Arat at Ettumanoor (R)	February/March	3
3	Arat at Trivandrum—Thulam (R)	October/November	1
4	Arat at Trivandrum—Meenam (R)	March/April	1
5	Arat at Thirunakkara—Kottayam (R)	March	1
6	Arthunkal Church Festival (R)	January/February	4
7	Ashtami at Vaikom (R)	November/December	3
8	Athirampuzha Church Festival (R)	January/February	2
9	Beemapally Mosque Festival (R)	October/November	5
10	Edathua Church Festival (R)	April/May	5
11	Recognised Exhibitions at various places	For the period of duration	
12	Guruvayoor Ekadasi (R)	January/February	3
13	Haripad Utsavam (R)	April/May	3
14	Kanichukulangara Temple Festival	February/March	2
15	Kollamcode Thookam (R)	March/April	3
16	Kumaracoil Thrikkalyanam (R)	March/April	3
17	Makaravilakku at Sabarimala (R)	January	15
18	Malayattoor Church Festival	March/April	8
19	Mandakkad Kodai (R)	February/March	10

(1)	(2)	(3)	(4)
20	Mandalapooja at Sabarimala (R)	November/December	45
21	Manjanikkara Church Festival (R)	February	2
22	Mannarassala Ayilyam (R)	October/November	3
23	Maramon Convention (R)	February	8
24	Meenabharani at Crangannore	March/April	7
25	Mullackal Temple Festival (R)	December/January	3
26	Oachira 12th Light Festival (R)	November	13
27	Shertallai Pooram (R)	March/April	2
28	Sivagiri Theerthadanam (R)	December/January	4
29	Sivarathri at Alwaye (R)	January/February	3
30	Veli Church Festival (R)	March/April	2
31	Vettukadu Church Festival (R)	October/November	1
32	Vishu at Kulathupuzha (R)	April	2
33	Trichur Pooram	April/May	3
34	Iringalakuda Utsavam	April/May	5
35	Triprayar Ekadasi	December/January	2
36	Tellicherry Jagannadha Temple Festival	March	2
37	Kannampra Vela	May/June	2

By order of the Governor,

R. C. Choudhury,

Secretary to Government.

Explanatory Note

(This is not part of the Notification but is intended to indicate the general purport).

Government have issued orders in G.O. (P) No. 71/84/Tr. D dated 31-12-1984 fixing the fares of stage carriages on and from 5-1-1985. Several representations were received from the public pointing out serious anomalies on the revised fares. Government therefore appointed a committee to examine the matter further. The Committee studied the representations in detail and has submitted the report and that Government examined the matter and accepted their recommendations. Taking into account of the recommendation of the committee and the recent price hike of fuel and spare parts of Motor Vehicles, Government have decided to enhance the fare rates of stage carriages. Hence, this notification.

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Government of Kerala
1985

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KERALA GAZETTE

EXTRAORDINARY

PUBLISHED BY AUTHORITY

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STATE TRANSPORT AUTHORITY, KERALA TRIVANDRUM

DIRECTIONS

No. D2/1093/STA/85. *15th April*, 1985.

WHEREAS the State Transport Authority, Kerala by Notification No. D2/33315/STA/84 dated 1st January 1985, published as Gazette Extraordinary No. 1, dated 1st January 1985 issued directions to the Regional Transport Authorities for revising the fares of stage carriages plying in the State;

AND WHEREAS Government of Kerala vide G. O. No. 1/85/Tr. D dated 9-1-1985 in S.R.O. No. 65/85 directed the State Transport Authority to keep in abeyance the rates of fares of stage carriages fixed by them in pursuance of the direction in the Notification above mentioned;

AND WHEREAS State Transport Authority, Kerala in Notification No. D2/1093/STA/85 dated 10-1-1985 directed the Regional Transport Authorities accordingly.

Now in pursuance of the directions issued by the Government of Kerala in Notification No. G. O. (P) No. 17/85/Tr. D. dated 12th April 1985, published as Gazette Extraordinary dated 12-4-1985 and in exercise of the powers conferred by Section 44 (3) of Motor Vehicles Act, 1939 (Central Act IV of 1939) and in supersession of the Notification No. D2/33315/STA/84 dated 1st January 1985, the State Transport Authority, Kerala hereby fixes

the rates of fares for the Stage Carriages in the State of Kerala as follows with effect on and from 15th April 1985 and directs the Regional Transport Authorities to enforce the rates of fares accordingly, from the date aforesaid.

A. *Rates of fares for the roads in the plains*

The rates of fares for various classes of stage carriage services per head per kilometre shall be as shown below, subject to clause (D) hereunder.

(i)	Ordinary/Mofussil Services including City and Town Services	9 Paise
(ii)	Fast Passenger Services	11 paise
(iii)	Express Services	12 paise
(iv)	Superior or Special Class of Services	1 ½ times the rates of fares fixed for Express Services.

B. *Rates of fares for Ghat Roads*

The rates of fares for various classes of services payable for Ghat Roads shall be enhanced by 25% of the rates payable for the respective classes of services on roads in the Plains specified in Clause A.

C. *Minimum fares*

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(i)	City/Town Services	40 paise
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D. *Fixation of fares*

In respect of routes where fare stages have already been fixed such fare stages shall be retained without changes and on such routes fares shall be fixed in such a way that fare shall be increased atleast by a minimum of 10 ps. after the first stage in ordinary services and after second stage in the case of City/Town Services.

In respect of other routes fares shall be fixed at the rates mentioned in clause A or B as the case may be.

The distance between the two stages will be taken as 2.5 kms irrespective of the fact whether such distance actually exists on ground or not

E. *Calculation of Fares*

(i) The fare for services other than those falling under items (ii) and (iii) below, shall be calculated in multiples of 10 paise. If the fare calculated is not an exact multiple of 10 paise; the same shall be rounded off to the nearest multiple of 10 paise; any amount of 5 paise and more being rounded off to 10 paise and any amount less than 5 paise being ignored provided that the increase in fare shall not in no case exceed the fare in force as on the day immediately prior to the date from which the revised fare shall come into force, by more than fifty per cent.

(ii) The fare for Fast Passenger Services shall be calculated in multiples of 50 paise. If the fare calculated is not the exact multiple of 50 paise it shall be rounded off to the nearest multiple of 50 paise ie. 25 paise and more being rounded off to 50 paise and less than 25 paise being ignored.

(iii) The fare for Express Services shall be calculated in multiple of 50 paise. If the fare calculated is not the exact multiple of 50 paise, it shall be rounded off to the next multiple of 50 paise.

F. In respect of services operated during "Approved Festive Occasions", the rates of fares for such services shall not exceed one and one-fourth times the rates of fares fixed for the respective class of services.

G. *Student's Concession*

(i) Full time students not engaged in any other calling or profession studying in any recognised educational institution travelling in stage carriages for a distance not exceeding 40 kilometres for a single journey for the purpose of attending classes shall be eligible for concessional travel in City, Town and Ordinary/Mofussil services at the rate calculated at 19.44% of the rates fixed under these directions subject to the condition that there shall be no increase in the rates of fare now charged for students:

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Provided further that the students shall produce identity cards for claiming the concession.

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Explanations:

(1) "City Services" or "Town Services" are services declared as such by the Transport Authority granting the permit.

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(4) "Superior or Special Class of Services" means services operated by fleet owners providing superior or special amenities to the passengers which are declared as "Superior or Special Class of Services" by the Transport Authority granting the permit.

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SCHEDULE

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(1)	(2)	(3)	(4)
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34	Iringalakuda Utsavam	April/May	5
35	Triprayar Ekadasi	December/January	2
36	Tellicherry Jagannadha Temple Festival	March	2
37	Kannampra Vela	May/June	2

By order of the
State Transport Authority,

(Sd.)
Secretary, S. T. A., Kerala.

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KERALA GAZETTE

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GOVERNMENT OF KERALA

Law (Legislation-C) Department

NOTIFICATION

No. 3355/Leg. C1/85/Law. *Dated, Trivandrum, 12th April,* 1985/ *22nd Chaithra,* 1907.

The following Act of the Kerala State Legislature is hereby published for general information. The Bill as passed by the Legislative Assembly received the assent of the Governor on the 11th day of April, 1985.

By order of the Governor,

P. P. MATHAI,

Special Secretary (Law).

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33/1511/MC.

ACT 9 OF 1985

THE KERALA EDUCATION (AMENDMENT) ACT, 1985

An Act further to amend the Kerala Education Act, 1958

Preamble.—WHEREAS it is expedient further to amend the Kerala Education Act, 1958, for the purpose hereinafter appearing;

BE it enacted in the Thirty-sixth year of the Republic of India as follows:—

1. *Short title and commencement.*—(1) This Act may be called the Kerala Education (Amendment) Act, 1985.

(2) It shall be deemed to have come into force on the 13th day of October, 1982.

2. *Amendment of section 36.*—In sub-section (1) of section 36 of the Kerala Education Act, 1958 (6 of 1959) (hereinafter referred to as the principal Act), after the words "The Government may make rules", the words "either prospectively or retrospectively," shall be inserted.

3. *Repeal and saving.*—(1) The Kerala Education (Amendment) Ordinance, 1984 (91 of 1984), is hereby repealed.

(2) Notwithstanding such repeal, anything done or deemed to have been done or any action taken or deemed to have been taken under the principal Act as amended by the said Ordinance shall be deemed to have been done or taken under the principal Act as amended by this Act.

Government of Kerala
1985

Reg. No. KL/TV(N)/12

KERALA GAZETTE

EXTRAORDINARY

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GOVERNMENT OF KERALA

Labour (E) Department

NOTIFICATION

G.O. Rt. No. 524/85/LBR. *Dated, Trivandrum, 9th April, 1985.*

S. R. O. No. 497/85.—In exercise of the powers conferred by clause (b) of sub-section (1) of section 3 of the Minimum Wages Act, 1948 (Central Act 11 of 1948), read with sub-section (2) of section 5 thereof, the Government of Kerala, having considered the advice of the Committee appointed under clause (a) of sub-section (1) of section 5 of the said Act and also the advice of the Minimum Wages Advisory Board constituted under section 7 of the said Act, hereby fix the minimum rates of wages payable to the classes of employees employed in the handling and care of elephants in the State of Kerala as specified in the Schedule hereto annexed and fix 12-4-1985 as the date on which the rates shall come into force.

33/1516/MC.

പട്ടിക

1. പ്രതിമാസ അടിസ്ഥാന ശമ്പളം:

   ഒന്നാം പാപ്പാൻ—300 രൂപ.
   രണ്ടാം പാപ്പാൻ—290 രൂപ.

2. ക്ഷാമബത്ത: തൃശ്ശൂർ പ്രതിമാസ ഉപഭോക്ത വിലസൂചികയുടെ 100 പോയിൻറിനു മുകളിൽ വരുന്ന ഓരോ പോയിൻറിനും പ്രതിദിനം 6 പൈസ എന്ന നിരക്കിൽ ക്ഷാമബത്ത നൽകേണ്ടതാണ്.

3. ഇൻഷ്വറൻസ് പദ്ധതി: ആന പരിപാലനത്തിൽ ഏർപ്പെട്ടിരിക്കുന്ന എല്ലാ തൊഴിലാളികൾക്കുംവേണ്ടി ജനതാ ഇൻഷ്വറൻസ് പദ്ധതി പോളിസി എടുക്കേണ്ടതാണ്. ഈ പോളിസിക്കുള്ള പ്രീമിയം യഥാവസരം അടയ്ക്കേണ്ട ബാദ്ധ്യത ആനയുടമയ്ക്കാണ്.

4. പ്രോവിഡൻറ് ഫണ്ട്: പ്രോവിഡൻറ് ഫണ്ട് പദ്ധതി നിലവിലുള്ള സ്ഥാപനങ്ങളിൽ അതു തുടരേണ്ടതാണ്.

5. സൗജന്യ വൈദ്യ സഹായം: പ്രതിവർഷം 250 രൂപായിൽ കവിയാത്ത സൗജന്യ വൈദ്യസഹായം തൊഴിലാളിക്കും അയാളുടെ കുടുംബത്തിനും നൽകാൻ ആനയുടമ ബാദ്ധ്യസ്ഥനാണ്. തൊഴിലാളിയുടെ കുടുംബമെന്നാൽ അയാളുടെ മാതാപിതാക്കൻമാർ, ഭാര്യ, അവിവാഹിതരായ പെൺമക്കൾ, പ്രായപൂർത്തിയാകാത്ത ആൺമക്കൾ എന്നിവർ ഉൾപ്പെടുന്നു.

6. യൂണിഫോം: പ്രതിവർഷം നാല് മുണ്ടും നാല് തോർത്തും ആന ഉടമ ഓരോ തൊഴിലാളിക്കും സൗജന്യമായി നൽകേണ്ടതാണ്.

മേൽ പറഞ്ഞിരിക്കുന്ന ആനുകൂല്യങ്ങളിൽ കവിഞ്ഞ് ഏതെങ്കിലും തൊഴിലാളിക്ക് മററെന്തെങ്കിലും ആനുകൂല്യം ആനയുടമയിൽ നിന്ന് ലഭിക്കുന്നെങ്കിൽ അവ തുടർന്നും നൽകേണ്ടതാണ്.

By order of the Governor,

U. MAHABALA RAO,
Commissioner and Secretary to Government.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

As per orders issued in G.O. Rt. 1357/80/LBR dated 26-9-1980 Government appointed a Committee to advise the Government in the matter of fixation of wages payable to the employees engaged in handling and care of elephants. This Committee since submitted its report and it was referred to the Minimum Wages Advisory Board. The advice of the Board also has been received.

Government have decided to fix the minimum rates of wages payable to the employees engaged in handling and care of elephants on the basis of the Committee report.

This notification is intended to achieve the above object.

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EXTRAORDINARY

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GOVERNMENT OF KERALA

Health (G) Department

NOTIFICATION

No. 20969/G3/85/HD. *Dated, Trivandrum, 12th April,* 1985.

S. R. O. No. 498/85.—In exercise of the powers conferred by sub-section 1 of section 122 of the Travancore-Cochin Public Health Act, 1955 (XVI of 1955), the Government of Kerala hereby declare that the local areas specified in the Schedule below shall, for the purposes of Chapter XIII of the said Act, be the Festival Centre for a period of 8 days from the 11th April, 1985 to 18th April 1985 in connection with Vishu Festival at Sabarimala and specify that the area within the limits of Kottayam and Pathanamthitta Districts mentioned in the Schedule below shall be the site for the said Festival.

SCHEDULE

Place	*District*
1. Sabarimala	Pathanamthitta
2. Pamba	
3. Chalakayam	
4. Karimala	
5. Rajanpara	
6. Elevenkoil	
7. Kollamoozhi	

33/1517/MC.

Place		District
8.	Erumeli	Kottayam
9.	Azhuthai	
10.	Arayakudi	
11.	Peroorthode	

By order of the Governor,
M. G. K. MURTHY,
Secretary.

Explanatory Note

(This does not form part of the notification, but is intended to indicate its general purport).

The Vishu Festival at Sabarimala is to be celebrated from 11-4-1985. It is necessary to declare the area surrounding the Sabarimala as Festival Centre under the Travancore-Cochin Public Health Act, 1955 for public health purpose. The notification is for the above purpose.

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GOVERNMENT OF KERALA

Local Administration and Social Welfare (D) Department

NOTIFICATION

G.O. Ms. No. 76/85/LA & SWD. *Dated, Trivandrum, 9th April,* 1985.

S. R. O. No. 499/85.—Under rule 2 of the Kerala Municipalities (Exercise of functions of Council and its Chairman and of the Standing Committees and other Committees of certain Municipalities) Rules, 1984, and in supersession of the orders issued in Notification No. G.O. Ms. 249/84/LA & SWD dated the 20th October, 1984 and published as S.R.O. No. 1264/84 in Kerala Gazette Extraordinary No. 902 dated 20th October 1984, the Government of Kerala hereby authorise the Sub-Collector, Chengannur to exercise of the functions of the Council and of the Chairman of the Kayamkulam Municipality, until other arrangements are made or the Council of the said Municipality is reconstituted whichever is earlier.

By order of the Governor,

K. P. Krishnan Nair,

Deputy Secretary.

33/1518/MC.

Explanatory Note

(This does not form part of the notification but is intended to indicate its general purport).

As per G.O. Ms. 249/84/LA & SWD dated 20-10-1984 Government have authorised Sub Collector, Alleppey to exercise the functions of the Council and of the Chairman of the Kayamkulam Municipality. But Karthigapally Taluk which was formerly within the jurisdiction of Sub Collector, Alleppey has gone to Chengannur Revenue Division, Kayamkulam Municipality is part of Karthigapally taluk. Hence Sub Collector, Chengannur has to be authorised to exercise the functions of the Council and of the Chairman of Kayamkulam Municipality.

The notification is intended to achieve the above object.

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GOVERNMENT OF KERALA

Home (H) Department

NOTIFICATION

G.O. (P) No. 78/85/Home. *Dated, Trivandrum, 10th April*, 1985.

S. R. O. No. 500/85.—In exercise of the powers conferred by clause (b) of Sub-section (1) of section 69 of the Kerala Police Act 1960 (5 of 1961) and sub-section (1) of section 2 of the Kerala Public Services Act, 1968 (19 of 1968), read with section 3 thereof, the Government of Kerala hereby make the following rules, further to amend the Kerala Police Departmental Inquiries, punishment and Appeal Rules, 1958, namely:—

RULES

1. *Short title and commencement.*—(1) These rules may be called the Kerala Police Departmental Inquiries, Punishment and Appeal (Amendment) Rules, 1985.

(2) They shall came into force at once.

2. *Amendment of the rules.*—In the Kerala Police Departmental Inquiries, Punishment and Appeal Rules, 1958, Sub-Rule (b) of rule 10 shall be omitted.

By order of the Governor,

N. KALEESWARAN,

Commissioner and Secretary to Government,
Home Department.

33/1519/MC.

Explanatory Note

(This note is not part of the notification, but is intended to indicate its general purport).

The High Court in WA. No. 343/80 in O.P. No. 2956/79 held that no action would be taken on the same set of facts as that which led to a prosecution which ultimately ended in acquittal. The Division Bench upheld the Judgement of Single Bench with the reasoning that Rule 10 (b) (i) of Kerala Police Departmental Inquiries, Punishment and appeal Rules, 1958 provides that if on a consideration of the same facts a Criminal Court arrived at a definite decision which is neither reversed nor modified in appeal, the department shall not take any further proceedings on the basis that the proceedings in the Criminal Court was misconceived or that the Judgement was erroneous. Rule 10 (b) (ii) provides that, if however, certain facts which call for departmental action are not relevant to the charge before the Criminal Court and as such were not placed before the court there shall be no objection to departmental action being taken on such facts. It is the statutory bar created by Rule (b) (i) that stands in the way of disciplinary action being taken on a consideration of the same set of facts which a Criminal Court has not found sufficient to hold a person guilty. This difficulty has to be removed by suitably modifying the rules. The notification is intended to achieve this object.

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